

REMARKS

Applicant thanks the Examiner for granting the application suspension under 37 CFR 1.103(a) for a period of 3 months. Claims 1, 7, 14 and 21 are amended. Claims 1-34 are pending.

Claim 1 of the application recites a wavelength monitor that includes a first and second slit provided in front of a first photo-detector and second detector, respectively. The wavelength monitor also includes a signal processor for counting intensity changes of light beams based on signals received from the first photo-detector and the second photo-detector wherein the first slit and the second slit are positioned to adjust the phase difference of signals from the first photo-detector and the second photo-detector. Independent claims 7, 14, and 21 recite similar features.

Regarding the prior art of record, the Final Office action of December 2, 2003 at page 2, lines 16-18, alleges that slits in front of a photo-detector only serve to restrict the amount of light striking the photodetector, and the addition of such slits to an optical device becomes a matter of design. Applicant respectfully disagrees. Furthermore, as disclosed in the detail description on page 23, lines 13-19, and recited in the pending claims, the first slit and second slit are adjusted making it possible to adjust the phase difference between the interference light intensity signals being output from the two photo-detectors. There is no disclosure or suggestion in the cited prior art of record of using slits to adjust phase differences between interference light intensity signals. Therefore, the cited prior art of record does not disclose or suggest the subject matter recited in independent claims 1, 7, 14 and 21.

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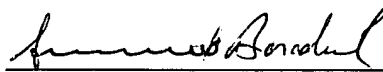
Attorney's Docket No.: 10830-087001 / A36-
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Applicant asks that all claims be examined in view of the amendment to the claims.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 8/27/04



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